

DECLARATION FOR PATENT APPLICATION

Docket Number (optional) E1047/20006

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SOLUTION HYBRIDIZATION OF NUCLEIC ACIDS WITH ANTISENSE PROBES HAVING MODIFIED BACKBONES
the specification of which is attached hereto unless the following box is checked:

Was filed on May 22, 1998 as United States Application Number or PCT International Application

☒ Number 09/083,410 and was amended on May 17, 1999 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56. I hereby claim foreign priority benefits under 35 U.S.C. §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365 (a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<u>None</u>			<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. §119(c) of any United States provisional application(s) listed below.

<u>None</u>	
(Application Number)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>08/807,901</u>	<u>February 27, 1997</u>	<u>Pending</u>
(Application Number)	(Filing Date)	(Status-patented, pending, abandoned)
<u>08/870,370</u>	<u>June 6, 1997</u>	<u>Pending</u>
(Application Number)	(Filing Date)	(Status-patented, pending, abandoned)
<u>08/886,280</u>	<u>July 1, 1997</u>	<u>Patented</u>
(Application Number)	(Filing Date)	(Status-patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Alan H. Bernstein (Registration No. 19,315); Stanley H. Cohen (Registration No. 20,235); Manny D. Pokotilow (Registration No. 22,492); Barry A. Stein (Registration No. 25,257); Martin L. Faigus (Registration No. 24,364); Eric S. Marzluf (Registration No. 27,454); Robert S. Silver (Registration No. 35,681); Scott M. Slomowitz (Registration No. 39,032); Michael J. Berkowitz (Registration No. 39,607) and David M. Tener (Registration No. 37,054) care of Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., 12th Floor, Seven Penn Center, 1635 Market Street, Philadelphia, Pennsylvania 19103-2212, my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) Yuan Min Wu

Inventor's signature _____ Date _____

Residence Thornhill, Ontario, Canada Citizenship People's Republic of China

Post Office Address 4 Dalmeny Road, Thornhill, Ontario, Canada, L3T 1L9

Full name of second joint inventor, if any (given name, family name) Eileen Xiao-Feng Nie

Second Inventor's signature _____ Date _____

Residence Thornhill, Ontario, Canada Citizenship People's Republic of China

Post Office Address 4 Dalmeny Road, Thornhill, Ontario, Canada, L3T 1L9

Attorney Docket No. E1047/20006

PATENT

Applicants : Yuan Min WU et al.
Serial No. : 09/083,410
Filed : May 22, 1998
For : SOLUTION HYBRIDIZATION OF NUCLEIC ACIDS
WITH ANTISENSE PROBES HAVING MODIFIED
BACKBONES
Allowed : November 9, 1999
Batch No. : E18
Examiner : Ardin Marschel
Group : 1655

**ADDENDUM TO COMBINED SUBSTITUTE DECLARATION AND
POWER OF ATTORNEY FOR SIGNATURE BY PERSON WITH SUFFICIENT
PROPRIETARY INTEREST ON BEHALF OF NONSIGNING INVENTORS
WHO REFUSE TO SIGN OR CANNOT BE REACHED (37 CFR 1.47(b))**

I, Glen Erikson, hereby declare that:

- I. I am a citizen of Canada, and have a post office address of Unit 1, 240 Brunel Road, Mississauga, Ontario, Canada L4Z 1T5.
- II. As of the dates I signed the original and substitute declarations for this application, the proprietary interest in this invention belonged to the following juristic person:

Lorne Park Research Inc.
Unit 1
240 Brunel Road
Mississauga, Ontario
Canada L4Z 1T5

and I am authorized to sign the statement on behalf of the juristic person, my title being Vice President.

- III. I previously established the proprietary interest in connection with filing the original declaration.
- IV. By virtue of this proprietary interest, I sign this substitute declaration on behalf of, and as agent for the inventors Yuan Min Wu and Eileen Xiao-Feng Nie, each of whom refused to sign the original declaration. Yuan Min Wu and Eileen Xiao-Feng Nie are both citizens of the People's Republic of China, last known to reside at 4 Dalmeny Road, Thornhill, M5H 3R3 Canada.
- V. Upon information and belief, I aver those facts that the inventor is required to state. 37 CFR 1.64(b).
- VI. I previously established the facts in support of filing on behalf of nonsigning inventors in connection with filing the original declaration.
- VII. In accordance with 37 CFR 3.73, the assignee hereby states that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Date:

14 January 2000
Glen Erikson, Vice President